



FH  
[REDACTED]

**STATE OF WISCONSIN  
Division of Hearings and Appeals**

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In the Matter of

[REDACTED]  
[REDACTED]  
[REDACTED]

DECISION

WTI/159787

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**PRELIMINARY RECITALS**

Pursuant to a petition filed August 13, 2014, under Wis. Stat. § 49.85(4), to review a decision by the Wisconsin Works (W-2) in regard to W2, a hearing was held on September 18, 2014, at Kenosha, Wisconsin.

There is no longer any issue for determination concerning an alleged overpayment of W-2 benefits to the Petitioner.

There appeared at that time and place the following persons:

**PARTIES IN INTEREST:**

Petitioner:

[REDACTED]  
[REDACTED]  
[REDACTED]

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Respondent:

Department of Children and Families  
201 East Washington Avenue  
Madison, Wisconsin 53703  
By: No one

**ADMINISTRATIVE LAW JUDGE:**

Mayumi M. Ishii  
Division of Hearings and Appeals

**DISCUSSION**

The Petitioner filed an appeal, indicating that the appeal was related to a tax intercept/levy being used to recoup an overpayment. On the date of the hearing, Karen Mayer, the Fair Hearing Representative for Kenosha County e-mailed a screen print showing that the Public Assistance Collections Unit (PACU) had rescinded the overpayment. ALJ Ishii contacted the Petitioner who confirmed that the overpayment had been rescinded. Consequently, the Division of Hearings and Appeals will dismiss the appeal.

The Petitioner indicated that she had other matters regarding an underpayment of W-2 benefits to her, that she wish to address, but was informed that any underpayment of W-2 benefits needed to be addressed in a separate action.

### **CONCLUSIONS OF LAW**

There is no longer any issue for determination concerning an overpayment of W-2 benefits to the Petitioner, because PACU rescinded the overpayment.

**THEREFORE, it is**

**ORDERED**

The petition is dismissed.

### **REQUEST FOR A REHEARING**

This is a final administrative decision. If you think this decision is based on a serious mistake in the facts or the law, you may request a rehearing. You may also ask for a rehearing if you have found new evidence which would change the decision. Your request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and tell why you did not have it at your first hearing. If you do not explain these things, your request will have to be denied.

To ask for a rehearing, send a written request to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875. Send a copy of your request to the other people named in this decision as "PARTIES IN INTEREST." Your request for a rehearing must be received no later than 20 days after the date of the decision. Late requests cannot be granted.

The process for asking for a rehearing is in Wis. Stat. § 227.49. A copy of the statutes can be found at your local library or courthouse.

### **APPEAL TO COURT**

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be served and filed with the appropriate court no more than 30 days after the date of this hearing decision (or 30 days after a denial of rehearing, if you ask for one).

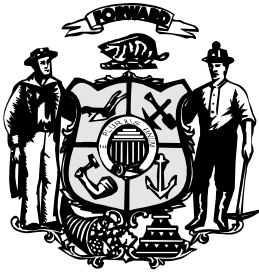
For purposes of appeal to circuit court, the Respondent in this matter is the Department of Children and Families. After filing the appeal with the appropriate court, it must be served on the Secretary of that Department, either personally or by certified mail. The address of the Department is: 201 East Washington Avenue, Madison, Wisconsin 53703. A copy should also be sent to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400.

The appeal must also be served on the other "PARTIES IN INTEREST" named in this decision. The process for appeals to the Circuit Court is in Wis. Stat. §§ 227.52 and 227.53.

Given under my hand at the City of Milwaukee,  
Wisconsin, this 19th day of September, 2014.

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\sMayumi M. Ishii  
Administrative Law Judge  
Division of Hearings and Appeals



**State of Wisconsin\DIVISION OF HEARINGS AND APPEALS**

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The preceding decision was sent to the following parties on September 19, 2014.

Wisconsin Works (W-2)  
Public Assistance Collection Unit